

MEMBERS PRESENT:

Laurie A. Boivin, Acting Chairman
Randal Chevalier
Myrna R. Warrington
Lynnette A. Miller
Eugene J. Caldwell
Kenneth A. Fish
Rebecca D. Alegria

MEMBERS ABSENT:

Lisa S. Waukau – Excused Absence
David A. Miller – Excused Absence

1. Call to Order – Roll Call.

Acting Chairman Boivin called the Meeting to order at 5:00 PM. Roll Call was taken with a quorum present.

2. Menominee Prayer.

Legislator Caldwell said the Menominee Prayer.

3. Public Comment Period.

JoAnne Gauthier – Forgiveness & Ethical Behavior: *“Some of you saw me last week a little frustrated. I am an enrolled Tribal member and I am really disappointed with the public behavior of our elected officials. There’s a difference between having freedom of the speech, and doing this kind of slanderous almost I would say a libelous kind of mud slinging that’s been going on. I’m asking as a Tribal member to whatever the powers at be in our governmental system, because we’re all including most of you are as confused as I am on what in the world can do to make things better around here. I started to put on that little paper there that I wanted to discuss that you investigate this and find any kind of punishments that you can you know ethics violations whatever there is, because this should really not be going on. It just shouldn’t! I wonder how in the world you people can get along, and conduct business on behalf of the Tribe with this much anger and frustration hurt just among you nine (9). So I am going to ask and appeal to you beyond this governmental mess we have here. Appeal to your human side, your compassion side, to figure out how each and everyone of you can do something to forgive one another make the apologies as needed, and remember you were elected by us people, and we put our trust in you to look out for our best interests. So whatever you can come up with some sort of solution to get yourselves together and work together for all of us, for those children, for those elders, for our homeless, for our disabled, our vets, and every single one of us enrolled Menominee are counting on you to give us your best! We all make mistakes, I can forgive you all, but I’m gonna hold that back until I see that you can forgive each other and start getting along. If we were in school we’d get suspended for this behavior, and yet our kids, you’re role modeling this for our kids! They get punished for this kind of stuff. So I sure hope that you guys can come to some sort of public acknowledgement that you’re going to do better, and boy, it sure would be nice to hear a public apology too. You got a great big opportunity come Saturday, and I’m encouraging families to bring their children out, so I hope that you all get along in front of those kids, and every decision that you all make from here on out once you fill your desks or your counters with all the kids around here and maybe that’ll help remind you how to behave! Seven (7) generations! Thank you.”*

Acting Chairman Boivin thanked her for her comments.

4. 1ST Consideration to Ordinance No. 09-30 – Program Lease Request.

MOTION BY EUGENE CALDWELL FOR 1ST CONSIDERATION FOR ORDINANCE NO. 09-30 PROGRAM LEASE REQUEST, AND SEND TO PUBLIC HEARING ON FEBRUARY 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

5. Final Approval of Amendment to Ordinance No. 96-07 – Canceling Program Lease Request.

MOTION BY REBECCA ALEGRIA FOR FINAL APPROVAL OF AMENDMENT TO ORDINANCE NO. 96-07 CANCELING PROGRAM LEASE. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

6. Final Approval of Amendment to Ordinance No. 08-11 & 08-14 – Canceling Recreational Leases to Tribal Members.

MOTION BY LYNNETTE MILLER FOR FINAL APPROVAL OF AMENDMENT TO ORDINANCE NO. 08-11 AND 08-14 CANCELING RECREATIONAL LEASES. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

7. Final Approval to Ordinance No. 09-27 – Program Lease Request.

MOTION BY REBECCA ALEGRIA FOR FINAL APPROVAL OF ORDINANCE NO. 09-27 PROGRAM LEASE REQUEST. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

8. Final Approval to Ordinance No. 09-28 – Recreational Lease Requests to Tribal Members.

MOTION BY RANDAL CHEVALIER FOR FINAL APPROVAL OF ORDINANCE NO. 09-28 RECREATIONAL LEASE REQUESTS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

9. 10-Day Waiver Request(s).

There were no 10-day waiver request(s) made at this time.

10. Menominee Language & Culture Recommendation of January 12, 2010 – Approval of a One-Year Provisional Teacher License for Fay Annamitta.

MOTION BY REBECCA ALEGRIA TO APPROVE THE ACTION MADE BY THE MENOMINEE LANGUAGE AND CULTURE COMMISSION (OF JANUARY 12, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE) FOR APPROVAL OF THE ONE YEAR PROVISIONAL CERTIFICATION FOR FAY ANNAMITTA. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

11. Woodland Boys & Girls Club Request.

Legislator Caldwell introduced the new Woodland Boys & Girls Club Wendy Boehm who's been on the job for eight (8) days now. In addition, he stated that the Tribe should help the Club get over their budgetary constraints and help them get going again for some type of recreation in Neopit for our children. Wendy also requested that she be permitted to include payroll stuffers requesting for donations from Tribal employees. She also mentioned that the building is in need of maintenance repair and they need functioning computers in the building before they can open the doors to the public for liability reasons. Her goal is to have the building open as soon as school is out everyday so children have a safe place to go after school before their parents get home from work.

MOTION BY RANDAL CHEVALIER TO SEND THE REQUEST OF THE WOODLAND BOYS & GIRLS CLUB TO THE NEXT BUDGET & FINANCE COMMITTEE MEETING. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2

ABSENT (D. MILLER & WAUKAU).

MOTION BY RANDAL CHEVALIER TO ALLOW THE WOODLAND BOYS & GIRLS CLUB TO INCLUDE A PAYROLL STUFFER IN THE NEXT PAYROLL. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

12. Changing IRR Roads Inventory Ownership from BIA to Tribal Ownership.

MOTION BY EUGENE CALDWELL TO HAVE THE COMMUNITY DEVELOPMENT AND LAW ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE DEVELOP A RESOLUTION WITH THE HELP FROM ADMINISTRATION ALONG WITH TRIBAL ATTORNEY KUSSEL CONCERNING THE PUBLIC ACCESS TO THE OUTLYING FORESTED AREAS OF THE INDIAN RESERVATION ROADS OWNERSHIP AND ADD THE APPROPRIATE DATA TO THE RESOLUTION TO BE DEVELOPED AND TO ADD THIS TO THE AGENDA OF THE SPECIAL JANUARY 28, 2010 MEETING OF THE MENOMINEE TRIBAL LEGISLATURE. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

13. Chapter 51/54/55 Task Force Updates.

MOTION BY EUGENE CALDWELL TO APPROVE THE UPDATES AS PRESENTED. (CHAPTER 51/54/55 TASK FORCE UPDATES) SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

14. Resolution No. 09-___ Enrollment Approval (April 1 – June 30, 2009).

MOTION BY EUGENE CALDWELL TO APPROVE TRIBAL RESOLUTION NO. 09-85 ENROLLMENT APPROVAL WITH THE ATTACHED LIST AND DISPENSE WITH THE READING AND AUTHORIZE THE CHAIR AND SECRETARY TO SIGN. (APRIL 1 – JUNE 30, 2009) SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

15. Resolution No. 09-___ Enrollment Approval (July 1 – September 30, 2009).

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF TRIBAL RESOLUTION NO. 09-86 ENROLLMENT APPROVAL FOR JULY 1 – SEPTEMBER 30, 2009 DISPENSE WITH THE READING AND AUTHORIZE SIGNATURES. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 1 ABSTENTION (L. MILLER), AND 2 ABSENT (D. MILLER & WAUKAU).

PLEASE NOTE: Legislator L. Miller qualified her abstention as follows: *"family members."*

16. Resolution No. 09-___ Enrollment Approval (October – December 31, 2009).

MOTION BY LYNNETTE MILLER TO APPROVE TRIBAL RESOLUTION NO. 09-87 ENROLLMENT APPROVAL FOR OCTOBER 1 – DECEMBER 31, 2009 DISPENSE WITH THE READING AND AUTHORIZE THE CHAIR AND THE SECRETARY TO SIGN. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

17. **Resolution No. 09-___ Consent and Authorization Related to Menominee Tribal Housing Limited Partnership # 5 & # 6.**

MOTION BY REBECCA ALEGRIA FOR APPROVAL OF MENOMINEE INDIAN TRIBE OF WISCONSIN RESOLUTION NO. 09-88 CONSENT AND AUTHORIZATION RELATED TO MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIP #5 AND #6 DISPENSE WITH THE READING AND AUTHORIZE THE CHAIRMAN AND TRIBAL SECRETARY TO SIGN WITH CORRECTIONS. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

18. **Resolution No. 09-___ Resolution Regarding Transfer of Tribe's Interest in Property Subject to 40 year Leases.**

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF RESOLUTION NO. 09-89 RESOLUTION REGARDING TRANSFER OF TRIBE'S INTEREST IN PROPERTY SUBJECT TO 40 YEAR LEASES WAIVE THE READING AND AUTHORIZE THE SIGNATURES. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

19. **Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.**

There was no "Other Business" at this time.

20. **1ST Consideration of Ordinance No. 09-___ Menominee Indian Economic Development Authority** *(Sponsored by Legislator's Boivin & Chevalier).*

MOTION BY RANDAL CHEVALIER FOR 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 09-31 MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY, AND SEND TO PUBLIC HEARING ON FEBRUARY 4, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

Legislator Caldwell questioned the Ordinance and stated he would bring his comments up at Public Hearing, but the Charter is revoked and what happens to any of it's obligations with respect to the Constitution and ByLaws? We can't waive sovereignty immunity and this entity does, and if their revoked and whatever they authorize is that still in effect? I think that might need to be addressed in here. The other issue is what about the non-gaming entities like the Gift Shop, the Hotel, the College, and Tribal Enterprises; they're not gaming. He requested to have these issues ready to be addressed at Public Hearing.

21. **Final Approval of Ordinance No. 09-29 – Tribal Clinic's Fiscal Year 2010 Budget.** *(Sponsored by Legislator's D. Miller and L. Miller).*

MOTION BY LYNNETTE MILLER FOR FINAL APPROVAL OF ORDINANCE NO. 09-29 FISCAL YEAR 2010 MENOMINEE TRIBAL CLINIC THIRD – PARTY REVENUE APPROPRIATION. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

22. **Travel Authorization Requests.**

MOTION BY EUGENE CALDWELL TO APPROVE TRAVEL AUTHORIZATION REQUESTS FOR: 1) STATE OF THE STATE ADDRESS WITH GOVERNOR JIM DOYLE & FIRST LADY JESSICA DOYLE ON JANUARY 26, 2010 IN MADISON, WI FOR LEGISLATOR RANDAL CHEVALIER AND INCLUDE LEGISLATOR REBECCA ALEGRIA; 2) M.A.S.T. IMPACT WEEK 2010 ON MARCH 7 – 10, 2010 IN WASHINGTON, D.C. FOR LEGISLATOR MYRNA WARRINGTON; AND 3) SEND A LEGISLATIVE MEMBER TO BE DETERMINED BY THE CHAIR'S OFFICE TO WASHINGTON, D.C.

TO GIVE TESTIMONY ON THE INDIAN RESERVATION ROADS HEARINGS IN THE WEEK OF FEBRUARY 2ND. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

23. Management Team Reports.

MOTION BY REBECCA ALEGRIA TO APPROVE THE MANAGEMENT TEAM REPORTS FOR THE PERIOD BEGINNING DECEMBER 11, 2009 AND ENDING JANUARY 14, 2010. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

24. Approval of Minutes: - 1) December 3, 2009 – Regular; 2) December 17, 2009 – Regular; & 3) January 7, 2010 – Regular.

1) December 3, 2009 – Regular;

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF THE MEETING MINUTES OF DECEMBER 3, 2009 WITH ANY CORRECTIONS. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

2) December 17, 2009 – Regular; &

MOTION BY RANDAL CHEVALIER TO APPROVE THE DECEMBER 17, 2009 REGULAR MEETING MINUTES WITH ANY CORRECTIONS. SECOND WAS MADE BY MYRNA WARRINGTON.

PLEASE NOTE: *This motion was withdrawn due to the meeting minutes not being transcribed correctly.*

MOTION BY RANDAL CHEVALIER TO TABLE THE MEETING MINUTES OF DECEMBER 17, 2009 UNTIL THE CORRECTIONS CAN BE MADE. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

3) January 7, 2010 – Regular.

MOTION BY RANDAL CHEVALIER TO APPROVE THE MEETING MINUTES OF JANUARY 7, 2010 WITH ANY CORRECTIONS. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

25. Committee Reports & Recommendations:

a. Governmental Affairs Committee of December 10, 2009.

i. Request Approval of the Draft Menominee Indian Economic Development Authority Charter.

MOOT – Previously taken up under agenda item number 20.

b. Community Development Committee of January 12, 2010.

i. Request Six Month Extension on Annual Lease under Executive Session;

This issue will be taken up in Executive Session.

ii. Request Additional appropriations for Maintenance and Operational Costs for Property Purchases;

This motion was not required it was only a FYI to the Legislature to be cognizant of the purchases that they are

making, and in the future that they address these concerns regarding the maintenance and operational costs involved with these land/property purchases along with appropriating funds when they purchase property during the year. In addition, the Community Development Director requested that the Legislature give serious consideration to the Community Development budget during budget time.

iii. Request Legal Services to Provide a Legal Opinion on Constitutionality of Proposed Cemetery;

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF JANUARY 12, 2010 TO RECOMMEND TO THE LEGISLATURE TO HAVE THE LEGAL DEPARTMENT GIVE US RESEARCH ON WHETHER OR NOT IT IS CONSTITUTIONALLY POSSIBLE IF THE CEMETERY CAN BE USED BY NON-INDIANS FOR BURIAL, AND BRING BACK IN THIRTY (30) DAYS. NO SECOND NECESSARY. *THE MOTION IS DEFEATED: 2 FOR, 3 OPPOSED (CALDWELL, FISH, & ALEGRIA), 1 ABSTENTION (CHEVALIER), AND 2 ABSENT (D. MILLER & WAUKAU).*

PLEASE NOTE: Legislator Warrington qualified her vote as follows: *"What are you going to do, because they're running out of room in these cemeteries, and this is kind of far off from being finalized? You gotta have a complete fixture, and the different spots where you can possibly go, and I'm not gonna bring something forward and say well that's against the Constitution, what about non-tribal members? All those questions need to be answered, and that's what this would do is get those questions answered. There's no permanent plans as to where it's going, there's a drawing of what they were going to do up in Middle Village in which there was an Ad-Hoc meeting working on it. They were looking at non-catholic areas, and non-traditional areas, and I believe that Dave Grignon was involved in these plans as well. So when it came up about non-tribal members they kind of talked about the Komanekin property where it's not in trust, and then that would not be an issue, it would be ideal rather than having to get a legal opinion or amending the Constitution just for a cemetery."*

Legislator L. Miller qualified her vote as follows: *"I approved it, because the motion is merely asking Legal to give us research on whether or not it's constitutionally or possible if it can be used for non natives, and when that opinion comes in; it doesn't mean that the opinion has to be approved. I think that it's something that needs to be looked into, because like Myrna said if it's not possible then they want to look at another area. This way it's just gonna sit there now, so obviously it's not an issue of how we are going to put people in their final resting place."*

MOTION BY EUGENE CALDWELL TO HAVE THIS ISSUE PUT AS A REGULAR AGENDA ITEM ON THE NEXT MENOMINEE TRIBAL LEGISLATURE MEETING AGENDA, WHICH IS FEBRUARY 4, 2010 AND THE ISSUE IS THE CEMETERY WITH THE UPDATED MEMO BY ATTORNEY KUSSEL IN REGARDS TO ARTICLE IX SECTION (2) (b) OF THE CONSTITUTION. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

iv. Request Approval of Program Lease for College of Menominee Nation: &

MOOT – Previously taken up under agenda item number 4.

v. Request Information Regarding the Indian Reservation Road (IRR) Issue for Review.

MOOT – Previously taken up under agenda item number 12.

- 26. As per LRP 5.03 – EXECUTIVE SESSION:** (A) Legal – 1) Economic Development Updates; 2) Business Lease Agreement; 3) License & Permits Department Audit; 4) MITW vs. MTE Updates; 5) I.H.S. Request for Funds; & 6) Updates on Legal Opinion & Other Issues Defined on the Constitutionality of Ordinance 99-01 – Conservation Commission Code; (B) Personnel; & (C) Gaming – 1) MKGA Proposed Budget.

MOTION BY LYNNETTE MILLER TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

*****EXECUTIVE SESSION WAS NOT RECORDED*****

MOTION BY REBECCA ALEGRIA TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

(A) Legal

1) Economic Development Updates;

MOTION BY EUGENE CALDWELL THAT WE ACCEPT THE GIFTS FROM SONNY AND INEZ MOSES FOR VALUABLE CONSIDERATION AS \$1,250.00 AND THAT THE CHAIR ISSUE A VALUATION RECEIPT AND THAT THEY BE DISPLAYED AT THE CULTURAL MUSEUM. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

MOTION BY MYRNA WARRINGTON TO AUTHORIZE THAT THE CONSULTANT TO MEET WITH MENOMINEE INDIAN GAMING AUTHORITY TO DISCLOSE THE VENTURE. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

PROPRIETARY MOTION MADE BY KENNETH FISH. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

MOTION BY RANDAL CHEVALIER TO AUTHORIZE TRIBAL ADMINISTRATION TO PROCEED WITH RENOVATIONS OF THE TRANSIT CENTER WITH THE ARRA FUNDS, AND THAT THEY WORK WITH OUR CONSULTANT ON FUTURE BUSINESS PROPOSALS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

2) Business Lease Agreement;

PROPRIETARY MOTION MADE BY MYRNA WARRINGTON. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 5 FOR, 1 OPPOSED (CHEVALIER), 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

PLEASE NOTE: Legislator Chevalier did not qualify his opposition.

3) License & Permits Department Audit;

MOTION MADE BY MYRNA WARRINGTON TO ACCEPT THE LICENSING AND PERMITS DEPARTMENT AUDIT. SECOND WAS MADE BY EUGENE CALDWELL. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

4) MITW vs. MTE Updates;

MOTION MADE BY EUGENE CALDWELL THAT WE DENY THE EXTENSION OR DISMISSAL, BUT THAT WE ALSO ARE STILL WILLING TO MEET AS FULL BODIES IN THE INTERIM. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 4 FOR, 2 OPPOSED (WARRINGTON & L. MILLER), 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: *"I'm opposed, because I think we should talk first because it wouldn't take that much longer just to do another request. I also think that we'll be saving money when we talk about how much money we're paying out to Lawyers, and we'll be paying out much more to this Jay person, so I think just save on money and give them that one last chance."*

Legislator L. Miller qualified her opposition as follows: *"The same as Legislator Warrington."*

5) I.H.S. Request for Funds; &

There was no motion made after coming out of Executive Session.

**6) Updates on Legal Opinion & Other Issues Defined on the Constitutionality of Ordinance 99-01
– Conservation Commission Code;**

There was no motion made after coming out of Executive Session.

(B) Personnel –

There was no motion made after coming out of Executive Session.

(C) Gaming

1) MKGA Proposed Budget.

MOTION MADE BY EUGENE CALDWELL THAT WE MOVE FORWARD WITH THE MENOMINEE KENOSHA GAMING AUTHORITY PROPOSED BUDGET IN THE AMOUNT OF \$500,000.00, AND DEVELOP AN ORDINANCE TO APPROPRIATE THOSE FUNDS, AND HAVE THAT ORDINANCE PLACED AS FIRST CONSIDERATION ON THE FEBRUARY 4, 2010 REGULAR MEETING AGENDA. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 1 ABSTENTION (FISH), AND 2 ABSENT (D. MILLER & WAUKAU).

PLEASE NOTE: Legislator Fish did not qualify his abstention.

MOTION BY LYNNETTE MILLER TO GO PAST 10:00 P.M. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 1 ABSTENTION (FISH), AND 2 ABSENT (D. MILLER & WAUKAU).

27. Adjournment.

MOTION BY EUGENE CALDWELL/LYNNETTE MILLER TO ADJOURN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Meeting adjourned at 10:30 P.M.

Respectfully submitted by;



Debra A. Bowman, Recorder/Transcriber
EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE